UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/44/927
30 March 1990
ENGLISH
ORIGINAL: ENGLISH/SPANISH

Forty-fourth session
Agenda item 34

THE SITUATION IN CENTRAL AMERICA: THREATS TO INTERNATIONAL PEACE AND SECURITY AND PEACE INITIATIVES

Note by the Secretary-General

The fifth and final report of the United Nations Observer Mission to verify the electoral process in Nicaragua (ONUVEN), in the attached document focuses on the voting procedures on election day itself, on Sunday, 25 February 1990, and on the results of the vote.

Mr. Elliot L. Richardson, Personal Representative of the Secretary-General, who had been in Nicaragua in October 1989 and January 1990 to oversee the monitoring of the process by ONUVEN, was present in Nicaragua from 20 to 28 February. During the days immediately preceding election day, he visited all the electoral regions in Nicaragua to personally inspect the arrangements for the vote.

Early on Monday, 26 February, Mr. Richardson informed me of the preliminary assessment of ONUVEN that the voting had been conducted under normal conditions without intimidation or violence, and could be evaluated as free and fair. He informed me further that the accurate projection by ONUVEN of the voting results, by 9 p.m. the previous evening, had been confirmed by the results announced officially in the morning by the Supreme Electoral Council of Nicaragua. President Daniel Ortega Saavedra, in consequence, had publicly accepted the result and had declared the readiness of the Sandinista Front for National Liberation to transfer power on 25 April 1990 to the new Government to be formed by the National Opposition Union, through a peaceful and orderly transition process. Both the President and President-Elect requested me, through the Personal Representative, to assure a United Nations presence in Nicaragua to facilitate this process. I have informed them of my decision to assign a small team for this purpose until the end of April 1990, headed by Mr. Iqbal Riza in the capacity of Alternate Personal Representative.

As Member States are aware, this is the first instance where the United Nations has monitored an electoral process in a sovereign State, for reasons outlined in my letters to the President of the General Assembly of 5 April 1989 (A/44/210) and 6 June 1989 (A/44/304) and in the first report of ONUVEN (A/44/642 and Corr.1). It is deeply gratifying to be informed by both the Government and Government-elect that ONUVEN not only observed but actively facilitated an orderly, free and fair election in Nicaragua. I wish to commend President Ortega for his decision to convene early elections in the spirit of national reconciliation enshrined in the Esquipulas II agreement and to invite the United Nations to assign an official observer mission. At the same time, I also wish to congratulate Dr. Mariano Fiallos Oyanguren, President of the Supreme Electoral Council of Nicaragua, for the exemplary manner in which he and the members of the Council and of the Regional Electoral Councils conducted the electoral process. I also want to convey my deepest appreciation to Mr. Elliot L. Richardson for bringing his wisdom and experience to ONUVEN, thus greatly contributing to the success of its mission which, it is to be hoped, will contribute towards national reconciliation in Nicaragua and the establishment of peace in the region. Finally, I must express my congratulations to the staff of ONUVEN, whose dedication made possible the smooth conduct of the operation.

LETTER OF TRANSMITTAL

22 March 1990

Dear Mr. Secretary-General:

It is an honour for me as your Personal Representative to transmit the fifth and final report of the United Nations Observer Mission to verify the electoral process in Nicaragua. The results it records amply vindicate the judgement of the fourth report that the people of Nicaragua would be able freely to determine their future Government through the verdict of the ballot-boxes. And though the outcome of the election no doubt dissipated questions that would surely have been raised had it turned out otherwise, it is gratifying to know that our own observation of the manner in which the voting and the vote counting were conducted put us in a position to respond with confidence and precision to any issue that might have been raised.

The letters I wrote you on my return from each of my first two trips to Nicaragua paid well-earned tribute to the capacity, dedication, and effectiveness of ONUVEN's personnel. From Tuesday, 20 February, through Thursday, 1 March I had an opportunity to see these qualities brought to bear under circumstances of even greater pressure. Iqbal Riza, Horacio Boneo, Gerd Merrem and their Managua-based colleagues performed magnificently. So too did our regional representatives: in every case they achieved for themselves and ONUVEN uniquely respected roles as conveners, conciliators and, where necessary, gadflies. During the week before the election, these core groups were agumented by another 200 observers from 50 countries, themselves an outstanding group of people with highly varied backgrounds. The resulting situation placed great strain on ONUVEN's planning, training and logistical resources. With able direction and enormously hard work, ONUVEN responded magnificently.

While this is not the place, Mr. Secretary-General, for a detailed assessment of ONUVEN's precedent-setting performance in Managua, the likelihood that the United Nations is likely in the future to be called upon for similar assignments in other countries makes it appropriate that I offer some brief comments:

(a) First, the very fact that this was the first time the United Nations had been called upon to verify an election in an independent sovereign State makes it important to review carefully what was done and why. Iqbal Riza played a pioneering role in ONUVEN, and I believe that he defined the role of chief of mission in a way that will be more respected the more it is scrutinized;

(b) Second, attention should be focused on the decision taken early in ONUVEN's history that responsibility for verification of the electoral process demanded more than merely recording the process, more than monitoring, and could not stop short of actively seeking to get corrected whatever substantial defects had been discovered. The very fact that the future of Nicaragua literally depended on the fairness and freedom of the elections would have made a purely passive role for ONUVEN morally unacceptable;

(c) Third, a comparably important decision - to make a judgement before election day as to whether or not, despite its deficiencies, the electoral process was on balance sufficiently fair so as to assure that voters would be able to exercise a free choice - is reflected in ONUVEN's fourth report (A/44/921). It had to be recognized, of course, that the election might be close, and in that event not to have done this, to have waited instead until after the votes had been counted, could have greatly complicated the effort to render a final verdict.

To these final observations, I owuld simply like to add that I have never participated in an activity that I regarded as more interesting, more exciting and more useful, nor in one that gave me greater enjoyment in the personal associations that it offered. I shall always be proud of the confidence you showed in me and grateful to you for the satisfactions to which it led.

With warmest admiration and regard.

Faithfully,

(Signed) Elliot L. RICHARDSON

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General of the United Nations
New York

READEX FICHE

ANNEX

Fifth report to the Secretary-General by the United Nations Observer Mission to verify the electoral process in Nicaragua

I. INTRODUCTION

1. The fourth report of the United Nations Observer Mission to verify the electoral process in Nicaragua (ONUVEN) (A/44/921) contained an overall assessment of the electoral process in Nicaragua up to 21 February, the closing day of the electoral campaign. It concluded that, in the opinion of ONUVEN, "as ... the people of Nicaragua go to the polls, they are in a position to decide between alternatives which have been given a reasonable chance to be aired. They will be able freely to determine their future Government through the verdict of the ballot-boxes on 25 February 1990. The final task of ONUVEN is to verify the fairness of this crucial phase. That will be the assignment over the next few days and will be reflected in the fifth report of the Mission." On the day after the elections, Mr. Elliot L. Richardson, the Personal Representative of the Secretary-General, held a joint press conference with Ambassador João Baena Soares, Secretary General of the Organization of American States, and former President of the United States of America Mr. Jimmy Carter, representing the Council of Freely Elected Heads of State. On behalf of the three observer missions, former President Carter stated that the Nicaraguan electoral process had been an impressive demonstration of freedom, democracy and respect for human rights. For his part, Mr. Richardson commended the Government of Nicaragua for making the conditions of the electoral campaign such as to enable the people to elect their future Government freely, observing that the conditions of freedom were maintained on 25 February 1990 during the voting and the ballot count.

2. This report substantiates these statements in detail and covers all matters relating to the elections proper, including the results of the final count. It also describes the activities carried out by ONUVEN during the voting.

II. VOTING CONTROLS AND PROCEDURES

3. In Nicaraguan politics, there is a high level of mutual mistrust, causing much suspicion among the opposition regarding the possibility of fraud. As was stated in the fourth report of ONUVEN (A/44/921), there can be no doubt that, compared with the elections of 1984, the current elections were characterized by greater pluralism, competitiveness and political openness. It must, however, be borne in mind that Nicaragua does not have the tradition of a democratically functioning political system and that, in the past, elections were won by those who counted the votes. This explains the precautions and controls instituted by the electoral authority in response to various demands by the opposition. Of course, no control system can deter and prevent individual acts of fraud; what is important, however, is ensuring that fraud cannot be perpetrated on a massive scale. In this sense, the preventive mechanisms adopted by the Supreme Electoral Council (CSE) were fully satisfactory. The most important of these mechanisms included the use of a

security number made up at the time the ballot-tables opened when numbers were selected at random by authorities and poll-watchers; the signing of the ballot-papers by a poll-watcher, if a request to that effect was made at the time the ballot-table opened; the marking of the voter's thumb with indelible ink; and the neighbourhood control inherent in the design of the ballot receiving boards (JRV) covering a small geographical area, an arrangement which ensures that most of the voters are known to the ballot-table authorities.

4. The procedure for casting a vote provided for in the Electoral Act is relatively straightforward. Each citizen must cast his vote at the JRV at which he registered. When it is his turn to vote, he must show the President his voter registration card; 1/ A check is then made that the citizen is indeed registered on the electoral roll of that JRV. In order to prevent a voter from voting twice, thumbs are examined for traces of ink. The President then inserts on the three ballot-papers (presidential elections, elections to the National Assembly and municipal council elections) handed to him the security control number for the JRV in question. The ballot-papers have to be signed by one or more poll-watchers if such an arrangement was agreed to when the JRV was opened. After receiving instructions from the President, the voter enters the closed-off area and on each ballot paper puts an X in the box corresponding to the candidates he supports; then, after showing the ballot-table authorities the security number and the signature, he places the folded papers in the ballot-boxes. Before his voter registration card is returned to him, the voter must clean his thumb with acetone and then apply indelible ink as far as the base of the nail. Both the voter registration card and the electoral roll are stamped, to show that the voter has already exercised his right to vote.

5. The counting of ballots was a two-step operation. Poll-watchers for the parties and officially accredited international observers could be present while both steps were being performed. The first ballot count - which was provisional - was made at the JVRs, starting with the ballots for the presidential election and continuing with those for representatives to the National Assembly and the municipal councils. The results for each JRV were recorded in a ballot-count certificate signed by the ballot-table authorities and the poll-watchers in attendance. In addition to the copies required for official purposes, a copy of the certificate was made for each poll-watcher and two more copies were made for ONUVEN and the Organization of American States (OAS). In addition, a special form for reporting the provisional results by telegraph to the Computation Centre in Managua was filled out for the purpose of the preliminary ballot count. The ballot-papers, the official copies of the ballot-count certificates and any unused electoral materials were shipped to the regional electoral boards (CERs) for the final tally. If they so desired the poll-watchers for the parties could accompany the electoral materials to their destination. The tallying at the CERs included re-checking the ballots observed by the poll-watchers in the JVRs and verifying the invalid ballot-papers. Both the provisional count and the final count were performed manually in accordance with the very precise instructions given by CSE concerning the procedures to be followed. The parties had five days from the date on which CSE published the final results to file with CSE any request for a re-count or challenge.

III. OBSERVING THE VOTING

6. On 25 February, 207 ONUVEN observers travelled throughout Nicaragua, using 128 vehicles, two helicopters and four small boats. Assistance of various kinds was provided to the groups of observers by a team of 34 persons stationed at the Managua headquarters and at the regional offices; the assistance ranged from computing to support by a medical team from the United Nations Observer Group in Central America (ONUCA), with another helicopter, which stood by to make any evacuations required for medical reasons. Throughout the day, the observers visited 2,155 JRVs located in 141 of the 143 municipalities in Nicaragua. This figure represents 49 per cent of JRVs and practically 100 per cent of municipalities. A high percentage of visits were to rural JRVs and for some of them, including those to the JRVs on Zapatera Island and Ometepe Island and at Santa Lucía, Río Blanco, Paiwitas, and El Guanacaste, helicopters were used.

7. For observation purposes, a questionnaire was prepared (see appendix I) which could be used both as a check-list and to gather information on any irregularities that might be detected during the visits. The questionnaire required some time to fill out and, since information on the conduct of the elections was needed as soon as possible the questionnaire included a general assessment, on a three-point scale, of each JRV visited. Each of the teams in the field also prepared an overall assessment of all the JRVs visited. Once their work was done, the teams travelled to the regional capitals, 2/ where they exchanged information and views on what they had observed throughout the day in order to arrive at an overall assessment of what had occurred in the region. That assessment was also prepared on the basis of information gathered by other groups of observers and by contacts with political leaders and electoral authorities at both the municipal and the regional levels. A composite assessment for each region was made on the basis of a five-point scale. Early on the morning of 26 February, the regional co-ordinators, with the exception of those from the Atlantic regions, travelled to Managua, where a global assessment of election day was made. The more detailed information in the 2,155 questionnaires was processed subsequently, for inclusion in this report.

8. ONUVEN made a projection of the results of the presidential elections. The theoretical sample on which this was based was made up of 122,915 potential voters, 3/ equivalent to approximately 8 per cent of registered voters. Each of the observers obtained data on the presidential elections directly at selected JRVs and, in the case of approximately 100 JRVs located in urban areas, went immediately to a second JRV where he or she obtained similar data from the poll watchers and ballot-table authorities, if the presidential vote count was already complete. In Managua and neighbouring areas, the results were transmitted by hand; in the rest of the country they were transmitted by radio. This arrangement was devised to obtain reliable results very rapidly. An overall tabulation of the presidential results was also projected on the basis of all the results contained in the ballot-count certificates, copies of which were supplied by CSE to the two international observer missions. Of course, in this case substantially more time elapsed before the data became available. In the light of the election returns and the recognition of the opposition's victory by CSE and President Ortega early on 26 February, ONUVEN decided to suspend the parallel tabulation of the presidential voting results.

9. During the night of 25 February and the early morning of 26 February, observers carried out a number of additional verification activities, which included accompanying some of the convoys whose task it was to collect the election materials from JRVs once their activities were concluded; removing, at points agreed with the CERs, the ballot-count certificates destined for the international observers, for use in the parallel tabulation of results; being present at the regional centres to which the materials from JRVs were brought and at the regional centres where the results were computed; and maintaining contact with electoral and political authorities and other groups of observers, both regionally and nationally.

10. The ONUVEN presence and activities described in the preceding paragraphs were only part of the monitoring of the Nicaraguan elections, which were no doubt the most closely observed elections ever in an independent State. CSE accredited 2,578 foreign observers from 278 organizations, according to the information in appendix II. It is worth mentioning that 1,500 foreign journalists were also accredited.

IV. CONDUCT OF THE VOTING

11. In the 25 February 1990 elections, 1,510,838 people out of a total of 1,752,088 registered voters, or 86 per cent of the electorate, cast their vote. Voter participation was highest in region IV - 90 per cent - and lowest in region VI - 66 per cent. Complete data on the various regions and departments are given in appendix III. Some 70,000 JRV members, clerks, police and other electoral officials worked on the elections without a break for between 15 and 18 hours. Enough cannot be said about their great sense of civic responsibility and their total dedication to their task, which did not go unnoticed by hundreds of observers and journalists.

12. Because of the considerable distrust between the governing party and the opposition, the presence of poll-watchers was crucial to ensuring that the results were accepted and viewed as legitimate, especially if the ruling party won. Given the number of poll-watchers in attendance, we can safely say that, even if the outcome had favoured the governing party, their presence would have provided very important confirmation of the legitimacy of the results. A total of 32,953 poll-watchers (regulars and alternates) were accredited for the different political parties, 17,625 of whom were from the opposition. 4/ Comprehensive data are given in appendix IV. On election day, ONUVEN found poll-watchers for the National Opposition Union (UNO) in 97 per cent of the JRVs it visited and poll-watchers from other opposition parties in 51.1 per cent of them. The fact that second members of JRVs were appointed at the proposal of political parties provided a further safeguard. ONUVEN found regular or alternate second members from UNO in 66.9 per cent of the JRVs it visited and second members from other opposition parties in 13.3 per cent of the JRVs visited.

13. The general assessment of the observation of the voting and ballot-count process in the 2,155 JRVs visited by ONUVEN, according to the classification used in the questionnaire, yielded the following results:

JRVs which functioned normally:	94.3 per cent
JRVs which functioned with minor difficulties that did not affect the results:	5.3 per cent
JRVs which experienced serious problems:	0.5 per cent

It is important to mention that even the problems which observers classified as serious were such that their impact on the results, even in the few JRVs in which they existed, can be considered minimal. For instance, in over half the cases the problem was that there were fewer ballot-papers than there should have been, a problem that was doubtless solved later by the municipal co-ordinators. Another problem that was classified as serious was the absence of appropriate conditions in some JRVs, which functioned without closed-off areas, making it possible that in certain special circumstances people might be watched as they voted, although such circumstances did not necessarily arise. While we have preferred to abide by the observers' original assessment, most of the cases could in fact have been reclassified as minor problems.

14. There were only two really serious problems. The first was the fact that, for security reasons, nine JRVs were not set up, had to be moved or could not function throughout the voting period. This is estimated to have affected only a small number of voters. The second - potential - problem concerned the indelible ink provided by the Government of Venezuela. Around mid-day, rumours began to circulate - and were easily confirmed - that the indelible ink could be removed using chlorine-based cleaning products. This appeared to be because the acetone used to clean voters' thumbs could dilute the ink if it was not applied properly. 5/ Given the existence of other safeguards, this problem was not sufficient to arouse suspicions of double voting, and at approximately 3 p.m. the Frente Sandinista de Liberación Nacional (FSLN) and UNO decided not to file complaints on these grounds unless poll-watchers detected other evidence that people were voting twice.

V. BALLOT COUNT AND RESULTS

15. The provisional ballot count was carried out in JRVs and the results transmitted by telex to the national centre set up in the César Augusto Silva Convention Centre, where they began to arrive in significant quantities at around 9.30 p.m. CSE announced the first returns, corresponding to 5 per cent of JRVs, at 1.45 a.m. on 26 February, followed by a second announcement, with 30 per cent of JRVs reporting, at around 2.30 a.m. Then, in the early morning hours a third announcement was made with about half of the JRVs reporting and at 5.40 a.m. the last announcement of the provisional results was made, with 60 per cent of the JRVs having reported. In view of the magnitude of UNO's lead, it was clear that the coalition headed by Mrs. Violeta Barrios de Chamorro had won and at 6 a.m. President Ortega announced on radio and television that the Government would abide by the election results. He officially conceded the election in a press conference at 8 a.m. that same day.

16. The results of the final ballot count were available on 1 March (regions II, III and IX), 2 March (regions V, VII and VIII) and 4 March (regions I, IV and VI). Of the ballots counted, 90,249, or 5.9 per cent, were blank or invalid. The 1,420,544 valid ballots were cast as follows:

	Ballots cast	
Party or coalition	No.	%
National Opposition Union	777 552	54.7
Social Conservatism Party	5 798	0.4
Liberal National Unity Party	3 151	0.2
Revolutionary Workers Party	8 590	0.6
Frente Sandinista de Liberación Nacional	579 886	40.8
Marxist-Leninist Popular Action Movement	8 115	0.6
Social Christian Party	11 136	0.8
Central American Unionist Party	5 065	0.4
Conservative Democratic Party of Nicaragua	4 500	0.3
Revolutionary Unity Movement	16 751	1.2

Note: The results by region are given in appendix V.

17. With regard to the model for projecting the results, the first report with results was received at 7.45 p.m.; by 2.58 p.m. on 26 February, 238 reports had been received. Appendix VI gives the results of the projection over time. The model had proved its capacity to predict the results by the time it had processed reports from 17.3 per cent of ballot receiving boards (52 JRVs). Even before that, based on the results from 11 per cent of JRVs, it made a projection which deviated by less than 1 per cent from the final UNO and FSLN results. That projection was made at 9.07 p.m. on 25 February. Since the information was transmitted as soon as the first vote tally for the presidential elections was complete, without waiting for ballot-tables to be completely closed, ONUVEN already had a reliable projection of the results at a time when political parties were only just beginning to receive the early returns from their poll-watchers, who had to wait for the complete vote count for the three elections and for electoral materials to be shipped to the regional capitals. Between 9.30 p.m. on 25 February and approximately 1.30 a.m. on 26 February, ONUVEN's information was the only independent projection available, since the projections made by other organizations yielded results only in the early hours of 26 February. 6/ This made it possible to report on the projections to the Personal Representative of the Secretary-General before 10 p.m. and, through him, to former President Carter and the Secretary General of OAS.

18. The final ballot count for representatives to the National Assembly yielded the following results:

Party or coalition	Number of ballots cast	Seats 7/
National Opposition Union	764 748	51
Social Conservatism Party	6 308	
Liberal National Unity Party	3 515	
Revolutionary Workers Party	10 586	
Frente Sandinista de Liberación Nacional	579 723	39
Marxist-Leninist Popular Action Movement	7 643	
Social Christian Party-Yatama	22 218	1
Central American Unionist Party	5 565	
Conservative Democratic Party of Nicaragua	5 083	
Revolutionary Unity Movement	13 995	1

Note: The results by region are given in appendix VII.

19. Although UNO won a majority in the National Assembly, that majority is not large enough for it to enact constitutional reforms relying only on the support of its own deputies. Article 194 of the Constitution requires the affirmative vote of 60 per cent of representatives for the adoption of partial reforms of the Constitution. Under article 191, partial reforms of the Constitution may be initiated by the President or by one third of the members of the National Assembly. A proposal for partial reform must be considered by at least two sessions of the legislature.

20. In the municipal council elections, UNO won a majority - enabling it to appoint mayors - in 99 of the 131 municipalities in which elections were held. 8/ This includes the cities of Managua, Masaya, Corinto, Chinandega, Nagarote, Rivas, Juigalpa, Boaco, Camoapa, Matagalpa and Sébaco. FSLN won a majority in 32 municipalities, including Jalapa, Condega, Esteli, León, Masatepe, Jinotepe, Wiwili, Waslala and San Carlos. In the case of the North Atlantic Regional Council FSLN obtained 21 seats, Yatama 22 and UNO 2. In the case of the South Atlantic Region, the distribution was as follows: 18 seats for FSLN, 22 for UNO and 5 for Yatama/multi-ethnic Youth Movement (MJME).

21. On 17 March 1990 the period allowed under the law for political parties to file requests for a re-count expired. The Social Christian Party (PSC) requested a re-count of the invalid ballots on the ground that the number of such ballots was excessively high. Practically at the eleventh hour, UNO filed a request for a re-count of the election results for representatives to the National Assembly in regions I, IV, VI and VIII, and for the elections to the municipal councils of Santa Teresa, El Rama, Muelle de los Bueyes, Cuá-Bocay and Waslala, and requested some corrections relating to the names of those elected. CSE sought the comments of the various parties and alliances. On 27 March, bearing in mind that the fairness of the elections had been recognized by the United Nations, OAS and the Council of Freely Elected Heads of State, and that the poll-watchers had signed the ballot-count certificates in the JRVs and the ballot-tally certificates in the CERs, and referring to the relevant articles of the Electoral Act, the CSE unanimously ruled that the appeals for a re-count filed by PSC and UNO were without merit.

22. On 27 March 1990 CSE proceeded to the final publication of the names of the candidates elected to the offices of President and Vice-President of the Republic, representatives to the National Assembly, members of the municipal councils and members of the regional councils of the Atlantic Coast. At a later date credentials will be handed over to the elected candidates, whereupon the electoral process will officially come to an end.

23. On 27 March 1990 the transition teams designated by the current Government and the government elected as a result of the elections on 25 February signed a "Protocol on the procedure for the transfer of executive power in the Republic of Nicaragua" (see appendix VIII).

VI. OVERALL ASSESSMENT

24. It is ONUVEN's assessment that the elections were conducted in a highly commendable manner, and no problems have been detected which might cast doubts on their fairness. The best evidence of this is obviously the victory of the opposition, which entertained doubts about the validity of the electoral process. In completing this report and, with it, its mission, ONUVEN feels bound to reiterate its entirely positive assessment of the activities of CSE and of all levels of the electoral authority, which ensured that the electoral process was impartial and fair throughout.

Notes

1/ The voter registration card is the electoral document issued to each voter at the time of registration, during the period which began in October.

2/ In a number of cases the information was transmitted by radio; this occurred when teams were forced to spend the night in rural localities owing to the excessive dangers of night travel.

3/ These voters came from 300 JRVs which were selected at random from categories defined by region and rural-urban situation and were weighted according to the registered voting population in each of the 18 categories defined.

4/ These figures do not cover Region IX, concerning which CSE had no information at the time this report was being drafted.

5/ If the ballot-table authorities did not dry the thumb after cleaning it with acetone, the acetone residues left on the thumb diluted the ink.

6/ Obviously, the magnitude of UNO's lead made it clear early on that UNO had won, but no country-wide figures gathered on the basis of sound statistical methods were available at that time, with the exception of the projection made by ONUVEN.

Notes (continued)

7/ Under Nicaragua's electoral system candidates for the Presidency who receive more votes than the average of the electoral quotas of the nine regions (in the event, 12,960 votes) are entitled to a seat in the National Assembly. By virtue of that prerogative provided for by law, the presidential candidate of FSLN (Daniel Ortega Saavedra) and of MUR (Moises Hassan) will be members of the new National Assembly.

8/ The number of municipalities where elections took place does not coincide with the number given in paragraph 6 because elections were held in the Atlantic regions only for the Autonomous Regional Councils. The latter were expected to redraw the municipal boundaries; elections at the municipal level would then be held.

LIST OF ABBREVATIONS

CSE	Consejo Supremo Electoral (Supreme Electoral Council)
FSLN	Frente Sandinista de Liberación Nacional
MAP-ML	Movimiento de Acción Popular Marxista Leninista (Marxist-Leninist Popular Action Movement)
MJME	Movimiento Juvenil Multiétnico (Multi-ethnic Youth Movement)
MUR	Movimiento de Unidad Revolucionaria (Revolutionary Unity Movement)
OEN-OAS	Observación Electoral Nicaragua - Organization of American States
ONUVEN	United Nations Observer Mission to verify the electoral process in Nicaragua
PCDN	Partido Conservador Demócrata de Nicaragua (Conservative Democratic Party of Nicaragua)
PLIUN	Partido Liberal de Unidad Nacional (Liberal National Unity Party)
PRT	Partido Revolucionario de los Trabajadores (Revolutionary Workers Party)
PSC	Partido Social Cristiano Nicaragüense (Nicaraguan Social Christian Party)
PSOC	Partido Social Conservatismo (Social Conservatism Party)
PUCA	Partido Unionista Centroamericano (Central American Unionist Party)
UNO	Unión Nacional Opositora (National Opposition Union)

Appendix I

ONUVEN - ELECCIONES DEL 25 DE FEBRERO EN NICARAGUA

VER CODIGOS AL DORSO

UNIDAD MOVIL	REGION	DEPARTAMENTO	MUNICIPIO	JRV	HORA	VISITA APERTURA

				MARCAR RESPUESTA		NOTAS
	1. LLEGADA A LA JUNTA RECEPTORA DE VOTOS					
A	No Constitucion de la JRV	0		-	S	
B	* Traslado de la JRV antes de empezar la votacion	0		N	S	
C	Venta y Distribucion de bebidas alcoholicas	0		N	-	
D	* Concentracion de personas en los alrededores de la JRV	0		N	S	
E	* Proselitismo en los alrededores de la JRV	0		N	S	
F	* Propaganda de los partidos en el exterior de las JRV	0		N	S	
G	Portacion de armas por parte de la Policia Electoral (INFORMACION)	0		SI	NO	
H	Colas de mas de cincuenta personas despues de las 17 horas (INFORMACION)	0		SI	NO	
I	Otros (especificar) >>>			N	S	
	2. OBSERVACION INTERNA DE LA JRV					
A	Falta de recinto secreto o de condiciones para el secreto del voto	0		N	S	
B	Propaganda de partidos politicos en el interior de la JRV	0		N	-	
C	Otros (especificar) >>>			N	S	
	3. CONSTITUCION DE LA JRV					
A	Verificacion presencia 2o miembro JRV de UNO (INFORMACION)	P		SI	NO	
B	Verificacion presencia 2o miembro JRV de otros partidos oposicion (INFORMACION)	P		SI	NO	
C	Verificacion presencia 2o miembro suplente de UNO (INFORMACION)	P		SI	NO	
D	Verificacion presencia 2o miembro suplente otros partidos oposicion (INFORMACION)	P		SI	NO	
E	Verificacion presencia fiscales de UNO (INFORMACION)	P	F	SI	NO	
F	Verificacion presencia fiscales otros partidos oposicion (INFORMACION)	P	F	SI	NO	
G	* Falta de material electoral	P		N	S	
H	No establecimiento del numero de control	P	F	-	S	
I	Falta de cumplimentacion del acta de constitucion y apertura	P	F	-	S	
J	* Rechazo de credenciales	P		N	S	
K	Se constituyo ilegalmente con personas que no son las designadas por el CSE		F	-	S	
L	No mostrar que las urnas estan vacias a los fiscales presentes		F	-	S	
M	Otros (especificar) >>>			N	S	
	4. ACTOS DE VOTACION					
A	Votacion de ciudadanos sin presentacion Libreta Civica/Reposicion/Rep. CSE	0	F	-	S	
B	No verificacion que el elector se encuentra inscripto en el Catalogo	0	F	-	S	
C	No revision que el elector no tiene vestigios de tinta indeleble	0	F	-	S	
D	No limpieza del dedo con acetona	0	F	-	S	
E	No entintado del dedo	0	F	-	S	
F	No sellado linea en el catalogo	0	F	N	-	
G	No sellado de libreta civica	0	F	N	-	
H	* Proselitismo en el interior de la JRV	0	F	N	S	
I	Intimidacion que implica coaccion o coercion fisica	0	F	-	S	
J	* Amenazas verbales, presiones u otras formas de influencia	0	F	N	S	

/...

PAGINA 2

UNIDAD MOVIL REGION DEPARTAMENTO MUNICIPIO JRV

	4. ACTOS DE VOTACION (CONTINUA)				MARCAR RESPUESTA		NOTAS
K	* CIERRE PARCIAL DE LA JRV		P	F	M	S	
L	* ENTRADA Y PERMANENCIA NO AUTORIZADA DE POLICIA ELECTORAL EN EL INTERIOR DE LA JRV		P	F	M	S	
M	POLICIA IMPIDIO INDEBIDAMENTE ACCESO A JRV A CIUDADANOS EN DISPOSICION DE VOTAR		P	F	-	S	
N	POLICIA PRESIONO O INTIMIDO A UN CIUDADANO A VOTAR POR UN DETERMINADO PARTIDO		P	F	-	S	
O	* ENTRADA Y PERMANENCIA EN LOCAL JRV DE PERSONAS NO AUTORIZADAS		P	F	M	S	
P	ALTERACION DE CATALOGOS ELECTORALES			F	-	S	
Q	DETERIORO INTENCIONAL DE MATERIAL ELECTORAL	O	P	F	-	S	
R	INTRODUCCION FRAUDULENTA DE BOLETAS EN URNAS		P	F	-	S	
S	SUSTRACCION, DESTRUCCION O SUSTITUCION DE URNAS ELECTORALES		P	F	-	S	
T	IMPEDIMENTO INDEBIDO DE VOTACION A CIUDADANOS		P	F	-	S	
U	* HECHOS VIOLENTOS DENTRO O FUERA DE LOCAL		P	F	M	S	
V	ACCIDENTES FORTUITOS CON DESTRUCCION DE MATERIAL		P	F	M	-	
X	OTROS (ESPECIFICAR) >>>				M	S	

EVALUACION GLOBAL DE LA JUNTA

1 [ ] LA JRV FUNCIONO CON NORMALIDAD

2 [ ] LA JRV FUNCIONO CON DIFICULTADES MENORES SIN IMPORTANCIA PARA EL RESULTADO ELECTORAL

3 [ ] LA JRV EXPERIMENTO PROBLEMAS SERIOS QUE PODRIAN DISTORSIONAR EL RESULTADO ELECTORAL

ACLARACIONES Y OBSERVACIONES

CODIGOS FUENTE DE INFORMACION:
O >>> OBSERVACION DIRECTA
P >>> PREGUNTAS A PRESIDENTE JRV
F >>> PREGUNTAS A FISCALES OPOSICION

CODIGOS CALIFICACION INCIDENTES:
M >>> MENOR
S >>> SERIO
(LA AUSENCIA DE MARCA INDICA INEXISTENCIA DE INCIDENTES)

/...

Appendix II

LIST OF OBSERVERS IN THE 1990 ELECTORAL PROCESS

ORGANIZATION	TOTALS
OEN-OAS (International observer)	418
ONUVEN (International observer)	237
COUNCIL OF HEADS OF STATE (CARTER CENTER) (Invited observer)	78
EUROPEAN ORGANIZATIONS	360
NORTH AMERICAN ORGANIZATIONS	696
SISTER CITIES PROGRAMME	357
LATIN AMERICAN ORGANIZATIONS	413
ASIAN ORGANIZATIONS	7
AFRICAN ORGANIZATIONS	6
AUSTRALIAN ORGANIZATIONS	6
TOTAL	2 578
INTERNATIONAL OBSERVERS	655
INVITED OBSERVERS	779
COURTESY PASSES	1 144

Appendix III

ELECTION DATA BY REGION - PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTION

REGION	TOTAL REGISTERED VOTERS	JRVs	JRVs REPORTING	BALLOTS CAST	INVALID	VALID
I	169 130	461	461	150 223	10 549	139 674
II	294 650	707	707	252 314	11 279	241 035
III	462 771	1 006	1 096	408 987	17 569	381 418
IV	300 313	860	860	270 298	16 267	254 031
V	174 770	478	478	147 867	8 380	139 487
VI	245 334	496	488	197 887	16 343	181 544
VII	60 414	154	154	47 186	7 241	39 945
VIII	29 395	96	95	23 334	1 853	21 481
IX	15 311	44	44	12 742	813	11 929
NATIONAL TOTAL	1 752 088	4 392	4 383	1 510 838	90 249	1 420 544

Appendix IV

REGIONAL BREAKDOWN OF POLL-WATCHERS

REGION	CAPACITY OF POLL-WATCHERS	UNO	PSOC	PLIUN	PRT	FLSN	MAP-ML	PSC	PUCA	PCDN	MUR	TOTAL
I	REGULAR	794	-0-	93	23	859	-0-	242	73	156	22	2 262
	ALTERNATE	662	-0-	-0-	-0-	859	-0-	72	32	-0-	-0-	1 625
	TOTAL	1 456	-0-	93	23	1 718	-0-	314	105	156	22	3 888
II	REGULAR	1 176	-0-	378	57	1 176	-0-	496	200	172	78	3 733
	ALTERNATE	682	-0-	13	-0-	1 141	-0-	8	-0-	1	-0-	1 845
	TOTAL	1 858	-0-	391	57	2 317	-0-	504	200	173	78	4 891
III	REGULAR	2 308	124	108	193	2 408	-0-	394	343	444	202	6 331
	ALTERNATE	221	-0-	-0-	-0-	2 408	-0-	-0-	-0-	-0-	-0-	2 629
	TOTAL	2 529	124	108	193	4 816	-0-	394	343	444	202	8 961
IV	REGULAR	1 432	267	-0-	-0-	1 548	-0-	228	310	209	126	4 120
	ALTERNATE	1 059	-0-	-0-	-0-	1 287	-0-	-0-	-0-	-0-	-0-	2 646
	TOTAL	2 491	267	-0-	-0-	2 835	-0-	228	310	209	126	6 766
V	REGULAR	691	-0-	-0-	-0-	789	-0-	202	-0-	339	-0-	2 021
	ALTERNATE	586	-0-	-0-	-0-	493	-0-	-0-	-0-	1	-0-	1 078
	TOTAL	1 277	-0-	-0-	-0-	1 282	-0-	202	-0-	340	-0-	3 101
VI	REGULAR	1 060	50	50	-0-	1 092	-0-	181	30	-0-	69	2 482
	ALTERNATE	655	50	-0-	-0-	710	-0-	-0-	-0-	-0-	5	1 420
	TOTAL	1 715	100	50	-0-	1 802	-0-	181	30	-0-	74	3 952

REGION	CAPACITY OF POLL-WATCHERS	UNO	ASSOCIATION YATAMA	FLSN	ASSOCIATION YATAMA MJME	
VII	REGULAR	137	137	137	-0-	411
	ALTERNATE	137	137	137	-0-	411
	TOTAL	274	274	274	-0-	822
VIII	REGULAR	135	-0-	145	75	355
	ALTERNATE	61	-0-	139	17	217
	TOTAL	169	-0-	284	92	572
IX	NO INFORMATION RECEIVED					

/...

Appendix V

VOTING RETURNS - PRESIDENT AND VICE-PRESIDENT
BY REGION AND PARTY

Region	UNO	PSOC	PLIUN	PRT	FSLN	MAP-ML	PSC	PUCA	PCDN	MUR
I	66 661	562	352	695	66 960	916	811	528	403	1 786
II	126 386	925	728	1 674	105 176	1 329	1 190	779	592	2 256
III	209 527	1 157	541	3 396	168 071	1 126	2 373	1 120	984	3 123
IV	135 117	926	412	1 289	110 090	1 181	986	772	721	2 537
V	97 911	761	317	389	35 081	866	690	551	654	2 267
VI	105 020	1 180	653	925	65 499	2 003	1 310	982	800	3 172
VII	19 253	119	73	119	15 044	441	3 365	155	175	1 201
VIII	13 040	150	44	75	7 256	145	362	105	92	257
IX	4 637	63	31	28	6 709	108	49	73	79	152
National total	777 552	5 798	3 151	8 590	579 886	8 115	11 136	5 065	4 500	16 751

Appendix VI

TREND IN ELECTION RESULTS PROJECTIONS

Projection No.	Time made	JRVs included	% FSLN	% UNO
1	8.08 p.m.	11	49.37	47.05
2	8.35 p.m.	20	44.64	51.76
3	9.07 p.m.	33	39.97	56.12
4	9.29 p.m.	52	40.45	55.20
5	9.49 p.m.	65	42.08	53.68
6	10.11 p.m.	111	39.71	55.76
7	11.01 p.m.	134	39.41	56.09
8	11.23 p.m.	161	39.55	55.96
9	11.54 p.m.	192	39.55	56.04
10	12.29 a.m.	210	40.08	55.51
11	12.51 a.m.	216	40.15	55.44
12	2.20 a.m.	231	40.02	55.51
13	2.58 a.m.	236	40.05	55.47

FINAL FIGURES ANNOUNCED BY CSE WITH 82.2 PER CENT OF THE BALLOTS COUNTED

FSLN	468 040	40.8 per cent
UNO	633 357	55.2 per cent

Appendix VII

VOTING RETURNS (ASSEMBLY) BY REGION AND PARTY

Region	UNO	PSOC	PLIUN	PRT	FSLN	MAP-ML	PSC	PUCA	PCDN	MUR
I	66 241	640	378	750	67 035	928	864	540	419	1 515
II	125 986	989	837	1 780	105 357	1 346	1 314	832	633	1 782
III	209 125	1 442	714	4 839	166 488	1 327	2 812	1 340	1 215	2 662
IV	133 872	1 084	489	1 847	111 036	1 126	1 084	825	763	2 018
V	97 847	783	361	401	35 055	859	769	576	343	1 905
VI	104 707	1 227	734	969	65 568	2 051	1 374	1 061	871	2 782
VII	9 918	1	-	-	15 136	3	13 201	172	252	919
VIII	12 479	142	-	-	7 308	3	836	130	90	272
IX	4 573	-	2	-	6 740	-	-	89	97	140
National total	764 748	6 308	3 515	10 586	579 723	7 643	22 218	5 565	5 083	13 995

APPENDIX VIII

TEXT OF THE PROTOCOL ON THE PROCEDURE FOR THE TRANSFER OF POWER

The transition team designated by the President of the Republic, Commander of the Revolution Daniel Ortega Saavedra, headed by General Humberto Ortega Saavedra and consisting of Commander of the Revolution, Jaime Wheelock Román and Major General Joaquín Cuadra Lacayo, and the transition team designated by the President-elect Mrs. Violeta Barrios de Chamorro, headed by Mr. Antonio Lacayo Oyanguren and consisting of Mr. Carlos Hurtado Cabrera and Mr. Luis Sánchez Sancho, have agreed to sign the following:

Protocol on the Procedure for the Transfer of Executive Power of the Republic of Nicaragua:

I. General considerations

1. It is the consensus of the two teams that the results of the general elections which were held on 25 February 1990 in a fair and honest manner must contribute to the strengthening of the democratic process in Nicaragua and to the attainment of a just and definitive peace encompassing all Nicaraguans without political distinctions.

2. That, accordingly, solid foundations must be laid for reconciliation, national harmony and stability of the nation in all its orders, so as to build confidence and security for all Nicaraguans.

3. That united efforts for the consolidation of peace and lasting stability are also a necessary prerequisite for rebuilding the country's economy.

4. That every effort must be made to reach a national understanding that takes into account the achievements and changes made thus far for the benefit of the people, based on full respect for the law, the Political Constitution of Nicaragua and the laws of the Republic.

II. Bases for the transfer

1. Implementation of the Toncontín Agreement signed on 23 March 1990 at Tegucigalpa, Honduras, concerning demobilization of the resistance forces before 23 April 1990, is essential for creating the climate of peace, stability and tranquillity in which the transfer of power must take place.

2. The nation's defence and public order forces shall be under the civilian command of the President of the Republic in accordance with the Constitution and the laws of the Republic. Their size and characteristics shall be determined according to Nicaragua's economic capacity and social needs, and in accordance with the agreements reached at Contadora and between the Central American Presidents.

The armed forces shall be professional and shall not belong to any political party. Members of the armed forces on active duty shall not hold high office in

any political party. Activities of political proselytism within the armed forces may be carried out only within the context of Nicaragua's electoral law.

Respect for the integrity and professionalism of EPS [Ejército Popular Sandinista] and of the public order forces and for their ranks, seniority registers and commands, in accordance with the Constitution and the laws of the Republic, is also a fundamental basis for the orderly transfer of power.

3. Similarly, as an essential part of the process of democratic consolidation, the integrity and independence of the various branches of State power shall be strengthened, within the context of strict implementation of the Constitution and of the laws.

4. It is agreed that tranquillity and juridical security must be provided to Nicaraguan families that have received urban and rural properties in respect of State assignations prior to 25 February 1990, and that this should be harmonized with any legitimate rights which Nicaraguans whose property has been affected may have before the law and that, to that end it will be necessary to proceed within the context of the law. Appropriate forms of compensation shall be worked out for any one who may have been injured.

5. The orderly transfer of executive power shall take place within a context of mutual security and confidence, free from any act of retaliation, reprisal or revenge and in a climate of respect for the physical and intellectual integrity of the individual. Accordingly, both transition teams support the initiatives taken by the authorities to create a climate of national reconciliation and amnesty to benefit the Nicaraguan family, and declare that it is necessary to ensure that weapons and combat equipment is solely in the hands of the armed institutions of the Republic.

At the same time, it is understood that all workers' associations and trade union and community organizations existing in Nicaragua shall enjoy the guarantees set forth in the Constitution and the laws. Likewise, monuments dedicated to fallen heroes and martyrs who died in the struggle against the Somoza régime and in the defence of the nation shall be respected.

6. The two teams are also in favour of guaranteed job stability for civil servants and government employees, based on efficiency, administrative integrity and years of service.

7. The two teams agree that they must unite their efforts to obtain international resources to be arranged during the transition stage to promote stability and economic growth.

The bases outlined above are, broadly speaking, the outcome of the views expressed by the heads of the two teams at the meeting that took place on 27 February 1990 in the presence of the Secretary General of the Organization of American States, Mr. João Baena Soares, Mr. Elliot Richardson, Personal Representative of the Secretary-General of the United Nations, and the former President of the United States, Mr. Jimmy Carter.

III. Procedure for the transfer of presidential authority

1. In order to achieve an orderly transfer of power of the central Government and State institutions, sub-committees shall be established that will be made up of joint teams designated by the outgoing Government and by the incoming Government.

These sub-committees shall function in the following areas:

(a) Area of Economic Planning and Financial Control;

For the outgoing Government:

Mr. Alejandro Martinez Cuenca, Mr. William Hüpper Argüello.

For the incoming Government:

Mr. Francisco Mayorga, Mr. Enrique Dreyfus, Mr. José Ernesto Somarriba, Mr. Guillermo Potoy, Mr. Leonel Rodríguez.

(b) Area of External Co-operation:

For the outgoing Government:

Commander of the Revolution Henry Ruiz Hernández, Mr. Pedro Antonio Blandón Lanzas.

For the incoming Government:

Mr. Francisco Mayorga, Mr. Enrique Dreyfus, Mr. José Ernesto Somarriba, Mr. Guillermo Potoy, Mr. Leonel Rodríguez.

(c) Area of Agricultural Development and Agrarian Reform:

For the outgoing Government:

Commander of the Revolution Jaime Wheelock Román, Mr. Salvador Mayorga Sacasa.

For the incoming Government:

Mr. Roberto Rondón, Mr. Carlos Mántica, Mr. Ramiro Curdián, Mr. Jaime Cuadra, Mr. José Pallais.

(d) Area of Industry and Commerce:

For the outgoing Government:

Commander of the Revolution Luis Carrión Cruz, Guerrilla Commander Ramón Cabrales.

For the incoming Government:

Mr. Dayton Caldera, Mr. Raúl Solórzano, Mr. Guillermo Quant, Mr. Jaime Bengoechea, Mr. Alfredo Mendieta, Mr. Reynaldo Hernández, Mr. Juan López, Mr. Mario Rappaccioli, Mr. Wilfredo Navarro, Mr. Jerónimo Sequeira.

(e) Area of Infrastructure and Services:

For the outgoing Government:

Guerrilla Commander Mauricio Valenzuela, Mr. Emilio Rapaccioli Baltodano.

For the incoming Government:

Mr. Agustin Jarquín, Mr. Gilberto Cuadra, Mr. Alberto Marín, Mr. Mario Montenegro, Mr. Pablo Vigil.

(f) Social areas:

For the outgoing Government:

The Reverend Fernando Cardenal Martínez, Guerrilla Commander Dora María Téllez.

For the incoming Government:

Mr. Ernesto Salmerón, Mr. Andrés Zúniga, Mr. Silviano Matamoros, Mr. Leopoldo Navarro, Mr. Manuel Matus Sequeira.

(g) Area of External Relations:

For the outgoing Government:

The Reverend Miguel D'Escoto Brockmann, Comrade Victor Hugo Tinoco.

For the incoming Government:

Mr. Alvaro Chamorro, Mr. Arnoldo Alemán, Mr. José Cuadra, Mrs. Luz Marina Smith, Mr. Iván Madriz.

2. Between the time of the signing of this protocol and 24 April the teams in the above-mentioned areas shall hold meetings and consultations for purposes of information and evaluation.

3. The transfer process shall culminate in the orderly handing over of ministries and State entities through documents signed by the respective teams. The full transfer of properties, inventories, archives, financial statements and other documents relating to each ministry, entity and production enterprise and area service belonging to the people shall be recorded in a document.

The Office of the Controller General of the Republic shall take part in this process.

IV. Ceremonies for the transfer of the Presidency

1. The formal organization of the ceremonies for the transfer of the Presidency of the Republic shall be the responsibility of the Ministry of External Affairs, which shall designate a team for that purpose; the team shall initiate consultations with the team designated by the incoming Government.

The Ministry of External Affairs, in consultation with the team from the incoming Government shall be responsible for:

(a) Invitations to the transfer ceremonies;

(b) Formal procedure for the reception of foreign guests;

(c) Logistic and protocol arrangements for the transfer ceremonies.

Done at Managua, on 27 March 1990.